

REMARKS/ARGUMENTS

The Applicants herein respond to the Examiner's Office Action as follows:

The specification has been amended above to remove all underlining and thereby address the issues raised in paragraph 1 of the Office Action. The amendments are stylistic and do not add any new matter.

The above amendments to the claims do not add any new matter to the application and support for the amendments to claims can be found in the specification.

With regard to the claim objections in paragraph 2, claim 1 has been canceled and new claim 9 added. Claim 8 has been amended to remove the ambiguities and to now depend from Claim 9. The amendments do not include any new subject matter and are made as a matter of form not substance.

It is believed that all matters raised in paragraph 2 have been addressed.

In paragraphs 3 and 4, the Examiner objects to claims 1, 3, 5 and 6 as allegedly indefinite under 35 U.S.C. section 112, second paragraph. As stated above, claim 1 has been canceled and new claim 9 added.

With respect to claim 3, Applicants respectfully traverse the Examiner's objection in that one skilled in the art would understand the relative terms of slow and fast with regard to a hardener used in the coatings industry and the term is therefore not indefinite.

Claims 5, 6 and 7 have been amended to address the alleged ambiguity pointed out by the Examiner and as amended are not indefinite.

As amended, it is believed that all issues raised by the Examiner with regard to the alleged indefiniteness in the claims have been addressed.

In paragraphs 5 and 6, the Examiner has also rejected claims 1-7 as allegedly anticipated by Larson, et al (US 5,260,101) under 35 U.S.C. 102(b). The Applicants respectfully traverse this objection. It is evident from the claims as amended, that component C is not optional but rather always present in the plural component apparatus.

As amended it is evident that what is optional is whether component C is a hardener or a binder, and not whether there is a third component. Nonetheless as amended, it is clear that at least a third (if not more) components are present in the invention. Such component(s) are not present in Larson, as required for an anticipation objection. The Examiner's remaining comments with regard to anticipation are thereby rendered moot.

AC06194US

Serial No.09/997,541

Finally, in paragraphs 7 and 8, claims 3 and 8 are rejected as allegedly obvious under Larson et al (U.S. 5,260,101). Applicants respectfully traverse this objection for the reasons set forth above, in addition to the comments below.

Larson is directed to a two component system that has a single reactivity based on the components in the apparatus. There is no suggestion or motivation to one skilled in the art to add to Larson a third component such that the coating composition can be dynamically altered without the need to dismantle the apparatus or change the components in the apparatus. One skilled in the art looking at Larson would not be motivated to modify the invention such that dynamic altering of components to formulate various coating composition to applied to various substrates could take place without changing out the components.

Applicants respectfully disagree that the claimed and prior art are identical or substantially identical in structure or composition. To determine whether something is identical or substantially identical, one must look to the field of art and not just as a generalization. In the coating industry, creating dynamically changing coating composition based on the needs of the substrate for which it is to be applied, without the need to change components in a fixed plural component apparatus is neither identical to nor substantially similar to the ability to coat a substrate using a plural component apparatus that has two different components.

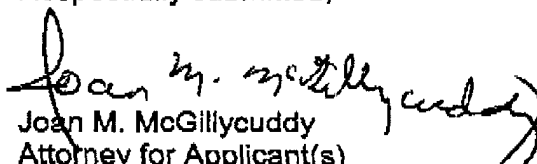
AC06194US

Serial No.09/997,541

CONCLUSION

Applicants request that the above amendments be entered. In view of the amendments and remarks herein and the papers submitted previously, Applicants respectfully request reconsideration and withdrawal of the subject rejections. The present application is believed to be in condition for allowance, which action is respectfully requested. Early consideration and allowance of the instant application is respectfully requested.

Respectfully submitted,



Joan M. McGillicuddy
Attorney for Applicant(s)
Reg. No. 35,608

Akzo Nobel Inc.
Intellectual Property Department
7 Livingstone Avenue
Dobbs Ferry, NY 10522-3408
T | No.: (914) 674-5463

OFFICIAL